



U.S. Department of Justice

United States Attorney
Southern District of New York

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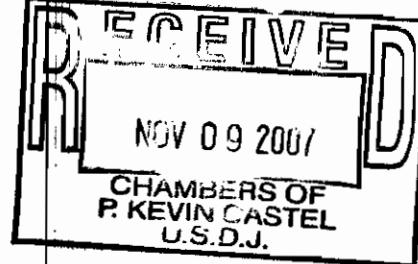
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MEMO ENDORSED

BY HAND

The Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 2260
New York, NY 10007

November 8, 2007



Re: *Pena v. Department of Homeland Security,*
07 Civ. 7730 (PKC)

Dear Judge Castel:

I represent the Government in the above referenced immigration matter, in which an initial conference is currently scheduled for November 30, 2007. Pursuant to vacation plans that I made (and non-refundable airline tickets that I purchased) several months ago, I will be on vacation from November 10, 2007 through December 5, 2007 and consequently will not be available for the conference on the date scheduled. Accordingly, the Government respectfully requests that the conference be adjourned until a date after December 5, 2007. I have consulted with plaintiff's counsel, who consents to this request. This is the Government's first request for an adjournment in the case.

I thank the Court for its consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York

By:

SERRIN TURNER
Assistant U.S. Attorney

Conference
scheduled for
December 5, 2007
adjourned to
December 7, 2007 at 11:45 a.m.
S. J. Garcia
Serrin Turner
11-9-07